

ORDINANCE 1584

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, ADOPTING AMENDMENTS TO NORTH BEND MUNICIPAL CODE CHAPTER 18.10.025, SPECIAL DISTRICTS, C. MASTER PLAN OVERLAY DISTRICTS, SPECIFICALLY BY AMENDING 4. TANNER JUNCTION MASTER PLAN OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, RCW 36.70A.040 requires the City of North Bend to prepare a Comprehensive Land Use Plan under Growth Management Act (GMA) and to implement such plan with development regulations, including the zoning code, which are to be consistent with the plan; and

WHEREAS, RCW 36.70A.130(4)(a) requires that the City of North Bend Comprehensive Land Use Plan and development regulations, including the zoning code, shall be subject to continuing review and evaluation by the City; and

WHEREAS, the City of North Bend Comprehensive Land Use Plan Goal LU-1 calls to preserve North Bend's small town qualities and its natural environment, while allowing for growth and development; and

WHEREAS, Robert E. Hibbs of Rexford R. Hibbs Irrevocable Trust, et al., submitted a complete application for the proposed amendments to the Tanner Junction Master Plan Overlay District, NBMC 18.10.025 C. 4, attached hereto as Exhibit A (Proposed Amendments); and

WHEREAS, the Proposed Amendments are intended to highlight the important elements of the gateway and tree preservation at the corner of 436th Avenue SE and SE 136th Street; and

WHEREAS, the Planning Commission heard public comment at their November 12, 2015 meeting and reviewed one comment letter received on November 5, 2015; and

WHEREAS, the Proposed Amendments were submitted to the Washington Department of Commerce for review on December 3, 2015; and

WHEREAS, the Planning Commission recommended approval of the Proposed Amendments after further deliberation and edits at their December 10, 2015 meeting; and

WHEREAS, the Community and Economic Development Council Committee reviewed the proposed amendments and requested that they be brought forward for City Council consideration; and

WHEREAS, City Council reviewed the proposed amendments during multiple meetings in February, March and April, 2016 and expressed a desire to include affordability elements into this overlay, which is incorporated into Exhibit A; and

WHEREAS, the City issued a State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) for the non-project amendment to NBMC 18.10.025 on October 28, 2015, and received no comments on the SEPA DNS; and

WHEREAS, pursuant to the procedures established in NBMC 20.08, notice of the public hearing and SEPA DNS was provided by publication of a legal notice in the Snoqualmie Valley Record, posting at the City's four official posting locations, and posting of the hearing, SEPA DNS, and the Proposed Amendments on the City's website, updated frequently; and

WHEREAS, the City Council finds that the Proposed Amendments address and are consistent with the requirements of the Growth Management Act; and

WHEREAS, the City Council finds that the City followed procedural requirements of NBMC Chapter 20.08 to notify and advertise the Proposed Amendments to the public and interested agencies and pursuant to this, the Planning Commission and subsequently the City Council considered all written and verbal comments received during their respective processes;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The City Council adopts the Proposed Amendments to the Tanner Junction Master Plan Overlay District Chapter 18.10.025 C 4. of the North Bend Municipal Code, hereto attached as Exhibit A.

Section 2. The Community and Economic Development Director is hereby authorized and directed to make necessary edits to the City of North Bend Official Zoning Map to depict the additional areas subject to the Master Plan Overlay District.

Section 3. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date: This ordinance shall be published in the official newspaper

of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 19TH DAY OF APRIL, 2016.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

Published: April 27, 2016
Effective: May 2, 2016

ATTEST/AUTHENTICATED:

Susie Oppedal, City Clerk